

84-318-XA

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Golf Courses and other outdoor recreation clubs

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name) Signature Address City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of April, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of May, 1984, at 1:30 o'clock P.M.

(over)

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Zoning Commissioner of Baltimore County.

E.C.O.-No. 1

(over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Commissioner Date: May 3, 1984

This office is opposed to the granting of either of the requested variances. Please note that this office has consistently opposed this type of variance and, to date, none have been granted. This office believes that to grant such variances would be in contravention to Sections 502.1 and 502.1h of the Baltimore County Zoning Regulations.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGH/sf

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 11, 1984

Mr. Robert H. Tresselt
State Highway Administration
2325 West Joppa Road
Brooklandville, Maryland 21022

Dear Mr. Tresselt:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

This hearing originates from the proposal of the State Highway Administration to acquire a portion of an existing golf course for the right-of-way of the proposed Northwest Expressway. In order to relocate the parking area for said use, this combination hearing is required.

After a number of conversations, concerning the site plans required for this hearing, it was the Zoning Commissioner's decision that the site plan, as submitted, would suffice.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI, Chairman
Zoning Plans Advisory Committee

Enclosures
cc: Spellman, Larson & Assoc.
105 W. Chesapeake Ave
Towson, Md. 21204



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

April 27, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #240 (1983-1984)
Property Owner: State Highway Administration
470' S. from centerline Westminster Pike
2900' W. Hanover Pike
Acres: 1.720 District: 4th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

This entire proposal is a part of the State Highway Administration project in connection with the Westminster Pike (Md. 140) - Northwest Expressway Interchange. Therefore, all improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

There is a public 12-inch water main in Westminster Pike.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 240 (1983-1984).

Very truly yours,

ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:es

cc: John Trenner

X-SE Key Sheet
65 x 66 NW 42-44 Pos. Sheets
NE 17 K Topo
48 Tax Map



Maryland Department of Transportation
State Highway Administration

Lowell K. Briddell
Secretary
M. S. Calhoun
Administrator

March 30, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Attention: Mr. N. Commodari

Dear Mr. Jablon:

On review of the submittal of March 1, 1984 showing a proposed parking lot of 100 spaces for golf course and special exception, the State Highway Administration finds the plan generally acceptable.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits
By: George Wittman

CH:GM:vrld

cc: Mr. J. Ogle

My telephone number is (301) 559-1350.

303-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5052 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3550
NORMAN E. GENDER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 3/27/84
Item # 240
Property Owner: STATE HIGHWAY ADMIN.
Location: 470' S. of WESTMINSTER PIKE 2900' W.
HANOVER PIKE

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- () County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____.
- () Landscaping should be provided on this site and shown on the plan.
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- () The property is located in a traffic area controlled by a "H" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- () Additional comments:

AN OVERALL OF THE GOLF COURSE PROPERTY MUST BE SUBMITTED

ENVIRONMENTAL EFFECTS REPORTS SHOULD BE SUBMITTED

Esperanza G. Bello
Suffin A. Bello
Chief, Current Planning and Development

UNRECORDED

cc: James Hoswell

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

April 16, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 240, 241, 242, 243, 244, 246, 247, 249, and 250 Meeting of March 27, 1984
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 240, 241, 242, 243, 244, 246, 247, 249, and 250.

Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/cwm

UNRECORDED

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 240, Zoning Advisory Committee Meeting of March 27, 1984

Property Owner: State Highway Administration

Location: 470' S. from C/I Westminster Pike District 4

Water Supply: public Sewage Disposal: private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 240 Zoning Advisory Committee Meeting of March 27, 1984
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
 - () The results are valid until _____.
 - () Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
 - () shall be valid until _____.
 - () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydro-geological Study and an Environmental Effects Report must be submitted.
- () Others: The proposed parking lot is intended to replace the one being taken due to the Northwest Expressway. The site for which the lot is intended is served by public water and a private sewage disposal system which appears to be functioning properly. The taking of the old parking lot and the construction and conveyance of the new lot will not interfere with the existing disposal system.

Ian J. Forrester, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-3500

PAUL H. REINCKE
CHIEF

March 27, 1984

Mr. William Hampson
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: State Highway Administration

Location: 470' S. from C/I Westminster Pike 2900' W. Hanover Pike

Item No.: 240 Zoning Agenda: Meeting of 3/27/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: [Signature] 3-27-84 Approved: [Signature] Fire Prevention Bureau
Planning Group
Special Inspection Division

/mb

UNRECORDED

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI JR.
DIRECTOR

March 27, 1984

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 240 Zoning Advisory Committee Meeting are as follows:

Property Owner: State Highway Administration

Location: 470' S. from C/I Westminster Pike 2900' W. Hanover Pike

Existing Zoning: R.C. P.

Proposed Zoning: Variance to allow 6% of lot to be covered by an impermeable surface in lieu of the required 10% and to remove 50% of natural vegetation in lieu of the required 25%. Special exception for Golf Courses and other outdoor recreation clubs.

Acres: 1.720

District: 4th.

The items checked below are applicable:

- (X) A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 140 State of Maryland Code for the Sanicapped and Aged; and other applicable codes.
- (X) B. A building/ & other miscellaneous grading and paving permits are required.
- (X) C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- (X) D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- (X) E. In exterior wall erected within 5'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.
- (X) F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____.
- (X) G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- (X) H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer, certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.
- (X) I. Comments _____

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed on the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burdick, Chief
Plans Review

UNRECORDED

CEB:es

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCES : OF BALTIMORE COUNTY
Beginning 470' SW of
Westminster Pike, 2,900' NW
of the Centerline of Hanover
Rd., 4th District :
STATE HIGHWAY ADMINISTRATION, : Case No. 84-318-XA
Petitioner :
: : : : :
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter.* Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 2nd day of May, 1984, a copy of the foregoing Entry of Appearance was mailed to Robert H. Tresselt, Chief, Right of Way District #4, State Highway Administration, 2323 W. Joppa Rd., Brooklandville, MD 21022, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

*SHA Contract #8698-313-470 - - - #68810

IN RE: PETITIONS SPECIAL EXCEPTION AND ZONING VARIANCES
Beginning 470' SW of Westminster Pike, 2,900' NW of the centerline of Hanover Road - 4th Election District
State Highway Administration, Petitioner
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 84-318-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein, the State Highway Administration (SHA), requests a special exception to allow a golf course and outdoor recreation clubs and variances to permit 65% of a parcel zoned R.C.4 to be covered with an impermeable surface instead of the permitted 10% and to remove 90% of the natural vegetation instead of the permitted 25%, as more fully shown on Petitioner's Exhibit 1.

The Petitioner, by Robert H. Tresselt, its Chief of the Right of Way Division, District 4, appeared and was represented by Counsel. Jim Mitchell, Vice President of Tom Mitchell Industries, Inc., and Robert Spellman, a registered land surveyor, also appeared and testified for the Petitioner. Phyllis C. Friedman, People's Counsel of Baltimore County, appeared. There were no other Protestants.

Action was made by the Petitioner and Tom Mitchell Industries, Inc., hereinafter referred to as "owner", to amend the Petition to include the owner as Petitioner. Said motion was granted and the petition thereby amended. Testimony indicated that the SHA requires 1.5 acres of the 43-acre tract owned by the owner, presently used as a parking lot for their golf course, for an interchange to the Northwest Expressway. The property, located in Reisterstown, is zoned R.C.3. In order to save the cost of condemning the entire tract,

the State has offered an adjacent parcel containing approximately 1.7 acres and zoned R.C.4, presently owned by the State, to the owner. This parcel would be converted to a parking lot to replace the parking lot being taken for the interchange.

The offer of quid pro quo is contingent upon getting the relief prayed for here and upon the State Board of Public Works acquiescing to the arrangement. Of course, the benefits to the taxpayers are self-evident. The State does not want a golf course, and the taxpayers probably do not want the State to buy one.

The owner received a special exception in or about 1970 for the golf course. At that time, the property was zoned B.L. but has since been rezoned to R.C.3. There seems to be no doubt that the adjacent property would in no way violate any of the strictures encapsulated by Section 502.1 of the Baltimore County Zoning Regulations (BCZR) if it were made into a parking lot for the benefit of the golf course. There would be no adverse impact to the community.

The Petitioners seek relief from Section 1A03.3.B.7, pursuant to Section 502.1, BCZR, for a special exception for a golf course and relief from Section 1A03.4.B.5, pursuant to Section 307, BCZR, for the requested variances.

The use as a golf course granted by special exception has continued uninterrupted. Although the zoning has since changed, the special exception protects the property from any and all future zoning changes. The parking area to be taken by the State is ancillary to the principal use of the property as a golf course. The parcel offered in exchange by the State will also be ancillary. No use permit, i.e., special exception, need be required for parking in a residential zone as the proposed parcel will only replace the parking area taken by the State. At the very least, the use is nonconforming inasmuch as the zoning has changed. The transfer of the 1.7-acre site to the owner will not be an

addition but a substitution, and there will be no expansion of the special exception previously granted or of the nonconforming use now existing.

It is clear that the BCZR permit the use requested by the Petitioner in a R.C.4 Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity of the proposed use. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioner.

After reviewing all of the testimony and evidence presented, it appears that the special exception as applied for should be granted, with certain restrictions as more fully described below.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest. The facts and circumstances of the use proposed by the Petitioner do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond those inherently associated with such a special exception use irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the BCZR.

An area variance may be granted where strict application of the zoning regulation to the petitioner and his property would cause practical difficulty.

McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception and variances should be granted. Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 2nd day of May, 1984, that the Petition for Special Exception for a golf course and, additionally, the Petition for Variances to permit 65% of the parcel to be covered with an impermeable surface instead of the permitted 10%

and to remove 90% of the natural vegetation instead of the permitted 25% be and are hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The special exception and variances granted herein shall be contingent upon (a) approval by the State Board of Public Works to the transfer; (b) the State actually conveying the 1.7-acre parcel, the subject site herein, to the owner; and (c) the owner thereupon merging the 1.7 acre parcel by deed with the remainder of its property.
2. The subject parcel shall be utilized solely for parking, and no building or extension of the actual golf course shall be permitted.
3. The Petitioners shall comply with Section 409.2.c.(2), BCZR, and Section IX.A.2.a, CMDF.

Robert H. Tresselt
Zoning Commissioner of
Baltimore County

IN RE: PETITIONS SPECIAL EXCEPTION AND ZONING VARIANCES
Beginning 470' SW of Westminster Pike, 2,900' NW of the centerline of Hanover Road - 4th Election District
State Highway Administration, Petitioner
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 84-318-XA

AMENDED ORDER

It is hereby ORDERED by the Zoning Commissioner of Baltimore County, this 2nd day of June, 1984, that the Order passed in this matter, dated May 24, 1984, be and is hereby AMENDED to include "(d)" in Restriction 1 as follows:

(d) if and when the above contingencies are satisfied, the variances granted herein will become moot since sufficient land area will then exist to satisfy Section 1A03.4.B.5, BCZR.

Robert H. Tresselt
Zoning Commissioner of
Baltimore County

AJ/srl
cc: Lloyd J. Hammond, Esquire
People's Counsel

SPELLMAN, LARSON & ASSOCIATES, INC.

SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
LOUIS J. PASECO, P.E.
ALBERT REAY
BARRY C. HARTIN

DESCRIPTION FOR A SPECIAL EXCEPTION TO ZONING, WESTMINSTER PIKE WEST OF HANOVER ROAD, 4TH DISTRICT, BALTIMORE CO., MD.

Beginning for the same at the two following courses and distances from the intersection of the center lines of Westminster Pike (Maryland Route 140) and Hanover Road (Maryland Route 30) thence binding on the center of Westminster Pike North 56 degrees 17 minutes West 2,900 feet, more or less, thence leaving the center of Westminster Road and running South 53 degrees 15 minutes 28 seconds West 470 feet, more or less, to the place of beginning of this description said point being on the property line dividing the lands of Thomas G. Mitchell and the State of Maryland

thence South 53 degrees 15 minutes 28 seconds West 165.04 feet North 55 degrees 39 minutes 37 seconds West 388.60 feet North 48 degrees 01 minutes 09 seconds East 159.27 feet South 74 degrees 02 minutes 29 seconds East 210.81 feet and South 37 degrees 59 minutes 27 seconds East 214.51 feet to the place of beginning.

Containing 1.720 acres of land more or less

03/01/84



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

4th Election District

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Being the property of State Highway Administration, as shown on plat plan filed with the Zoning Department.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

TOWSON, MD., May 3, 1984

THE JEFFERSONIAN,

Cost of Advertisement, \$ 20.00

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: 5-14-84
 Posted for: Special Caption and Transfers
 Petitioner: State Highway Administrator
 Location of property: Leg. 470 St. S.W. of Klatskanine Pike, 2900'
N.W. of the S.R. of Nemoine Road
 Location of Signs: South side of Klatskanine Pike, approx. 2,910'
Northwest of Nemoine Road
 Remarks:
 (Posted by: A. J. Probst Date of return: 5-11-84
Signature
 Number of Signs: 2

FUNCTION	Wall Map		Original		Duplicate		Reprint		Reproduction	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and line plotted on map										
Station number added to line										
Denied										
Entered by BA, CC, CA										

Reviewed by: RPJ

Previous case: _____

Revised Plans:
Change in outline or description _____ Yes
_____ No

Map # _____

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 12 day of March, 1987.*

Filing Fee : \$6.00 Received: _____ Check _____
Cash _____
Other _____

Petitioner State Highway Admin Submitted by _____
Petitioner's Attorney _____ Reviewed by SM

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

April 24, 1984

Re: Petitions for Special Exception & Variances
 Beg. 476 ft. SW of Westminster Pike, 2,900'
 NW of the c/l of Hanover Road
 State Highway Administration - Petitioner
 Case No. 84-318-XA

TIME: 1:30 P.M.

DATE: Monday, May 21, 1984

PLACE: Room 106, County Office Building, 11 West Chesapeake
Avenue, Towson, Maryland

4th Election Dist.

LOCATION: Intersection of 470 E. and Vanoverman Pkwy., 2900
Northwest of the center of Hancock Park
DATES & TIMES: 10:00 a.m. to 12:00 p.m. on 11/11/2010
PUBLIC HEARING: Room 108, County Office Building, 111 W. Clement
Avenue, Towson, Maryland

The Zoning Commission and the authority of the Zoning and
Regulations of Baltimore County, will hold a public hearing:
Petition for Special Exception for golf courses and other outdoor
recreation facilities, to be located on the 25.00 acre parcel
covered by an impermissible surface in lieu of the permitted 10.00 and
remove 67,618 sq. ft. (80%) of natural vegetation in lieu of the permitted 25
acres of natural vegetation. The subject application, as shown on plan filed
with the Zoning Department.

In the event that these Powers are granted, a building permit may be issued
for the construction of the proposed building. The applicant shall be
responsible, pursuant to the provisions of the Code, to obtain the necessary
permits, entertain any requested a stay of the issuance of said permit during
the period for good cause shown. Such request must be received in writing
from the applicant within the time period specified in the Code.

May 3 1984

Westminster, Md., May 19, 1984.

IFY that the annexed Special Exception & (one) successive weeks/days previous to May 19, 1984, in the county, a daily newspaper published in Westminster, Carroll County, Maryland. Carroll Herald, a weekly newspaper published in Eldersburg, Carroll County, Maryland. County Times, a weekly newspaper published in Fredericktown, Baltimore County, Maryland.

NITY NEWSPAPERS OF MARYLAND, INC.

L. l. m.



